

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2011-142414-001 DT

10/05/2011

COMMISSIONER RICHARD ALBRECHT

CLERK OF THE COURT

T. Sandoval

Deputy

STATE OF ARIZONA

JOSHUA S KOLSRUD

v.

JESSICA RUTH CALDWELL (001)

DOB: 08/17/1979

MICHAEL D ROTH

APO-SENTENCINGS-CCC

APPEALS-CCC

DISPOSITION CLERK-CSC

FINANCIAL SERVICES-CCC

RFR

VICTIM SERVICES DIV-CA-CCC

SUSPENSION OF SENTENCE - PROBATION GRANTED

8:56 a.m.

Courtroom CCB LL3

State's Attorney: Joshua Kolsrud

Defendant's Attorney: Michael Roth

Defendant: Present

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

The victim, Gerry Thomas-Caldwell, addresses the Court.

The plea is accepted.

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Count(s) 2: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 2 (as amended): Disorderly Conduct
Class 6 Designated Felony and Domestic Violence Offense
A.R.S. § 13-2901, 2904(A)(6),(B), 3601, 3601(A), 610, 701, 702, 801, 12-114.01
Date of Offense: 08/17/2011
Non Dangerous - Non Repetitive

The Court is suspending imposition or execution of sentence and, under the supervision of the Adult Probation Department (APD), placing the defendant on probation for:

Count 2 Probation Term: 2 years

To begin 10/05/2011.

Condition 6: Report to the APD within 72 hours of sentencing, absolute discharge from prison, release from incarceration, or residential treatment and continue to report as directed. Keep APD advised of progress toward case plan goals and comply with any written directive of the APD to enforce compliance with the conditions of probation. Provide DNA testing if required by law.

Condition 8 - Request and obtain written permission of the APD prior to leaving the state.

Condition 15: Restitution, Fines and Fees:

PROBATION SERVICE FEE: Count 2 - \$65.00 per month, beginning 12/01/2011.

PROBATION SURCHARGE: Count 2 - \$20.00 payable on 12/01/2011.

All amounts payable through the Clerk of the Superior Court.

Condition 16 - Not consume or possess any substances containing alcohol.

Condition 19: Not have any contact with the victim(s) in any form, unless approved in writing by the APD.

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Condition 21 - Abide by the special conditions of probation as noted on the attachment to the Uniform Conditions of Supervised Probation as follows:

Mental Health

Defendant is advised pursuant to § A.R.S. 13-805 that failure to maintain contact with the Probation Department may result in the issuance of:

1. A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.
2. A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution ordered.

IT IS ORDERED granting the Motion To Dismiss the following: Count 1. MCAO will not allege the dangerousness allegation.

IT IS ORDERED exonerating any bond previously posted in this matter to the party posting same.

The presentence investigation report is filed under this cause number.

The Defendant shall forfeit the interest in any weapons or ammunition referenced in the report to the State.

9:03 a.m. Matter concludes.

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ COMMISSIONER RICHARD ALBRECHT
JUDICIAL OFFICER OF THE SUPERIOR COURT

(right index fingerprint)